

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, June 12, 2007, 9:00 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

- ❖1. Discuss the 2007 – 08 City Council Policy Agenda.

- ❖2. Receive an update on the Rankin Highway Visitor Center.

AGENDA FOR CITY COUNCIL MEETING

Tuesday, June 12, 2007 – 10:00 a.m.

Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Darrell Dunton, First Baptist Church
2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of a Proclamation for Hunger Awareness Month.
 - b. Presentation of a Proclamation for Homeownership Month.
 - c. Special Announcement for Shades of Blues Festival.

CONSENT AGENDA

4. Consider a motion approving minutes of the May 9 – 11, 2007 Special City Council meeting and the May 22, 2007 Regular City Council Meeting.

- ❖5. Consider a resolution accepting preclearance from the United States Department of Justice regarding annexations effective December 5, 2006.
- 6. Consider a resolution authorizing the purchase of a work management system and execution of the software license and update and support agreements with Azteca Systems, Incorporated, and NTB Associates, Incorporated.
- 7. Consider a resolution authorizing the execution of a contract for the purchase and installation of stage curtains at the Martin Luther King Jr. Community Center; and appropriating funds therefor.
- 8. Consider a resolution authorizing the City Manager to purchase twenty-nine (29) radios for the Utilities Department from a single source provider, Caprock Communications, of Midland, Texas; said purchase was not bid but purchased as a sole source.
- 9. Consider a resolution authorizing the execution of an amendment to the professional services agreement with Parkhill, Smith & Cooper, Incorporated, with such amendment authorizing certain capital improvement projects at the Midland International Airport.
- 10. Consider a resolution authorizing the execution of an agreement accepting a Federal Aviation Administration Grant for Airport Improvement Projects at the Midland International Airport; and appropriating grant funds.
- 11. Consider a resolution authorizing the execution of a contract with Jones Bros. Dirt & Paving Contractors, Inc. for the Construct Runway 10/28 Shoulders Project at the Midland International Airport.

12. Consider a resolution authorizing the execution of a contract with Signature Technologies, Inc. d/b/a Com-Net Software Specialists for the Flight Information and Baggage Systems Project at the Midland International Airport.
13. Consider a resolution authorizing the execution of a contract with Albuquerque Freightliner Limited Partnership for the Airfield Pavement Sweeper and Snow Removal Vehicles Project at the Midland International Airport.
14. Consider a resolution authorizing the negotiation and execution of a professional services agreement between the Midland Development Corporation and TIP Strategies, Inc.
15. Consider a resolution authorizing the acceptance of seven utility easements located in Section 15, Block 39, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas; and ordering recordation by the City Secretary.
16. Consider a resolution authorizing acceptance of the conveyance of Lot 2, Block 1, Greathouse Addition, Section 3, City and County of Midland, Texas, by Black Family Partnership, Ltd.; authorizing the execution of legal documentation; and ordering recordation by the City Secretary.
17. Consider a resolution authorizing the execution of a public improvement development agreement with Brighton Country Development, LLC, for development of drainage retention basins in Greathouse Addition, Section 6, City and County of Midland, Texas; said agreement being authorized by Section 395.081 of the Texas Local Government Code; and authorizing the acceptance of said basins by general warranty deed.
18. Consider a resolution authorizing the execution of an agreement for street lighting service between the City of Midland and Oncor Electric Delivery Company.

- ❖19. Consider a resolution authorizing the execution of an agreement for the temporary closure of state right of way with the State of Texas for use of a state owned highway, including Spur 269 between Main Street and Colorado Street, for the purpose of the 2007 Star Spangled Salute Special Event.
- 20. Consider a resolution authorizing the City of Midland Police Department to file a joint application with the Midland County Sheriff's Department for 2007 Justice Assistance Grant funds; and authorizing the execution of an agreement regarding the division of said grant funds; this agreement does not supersede, modify or amend any other prior agreements.
- 21. Consider a resolution authorizing the execution of a surface use agreement permitting Chesapeake Operating, Incorporated, to conduct oil and gas operations upon Section 4, Block C24, Public School Land Survey, Loving County, Texas.
- 22. Consider a resolution appropriating funds to Project Number 8517 to be paid to Arcadis, of Midland, Texas, for further investigation into well field contamination at the T-Bar Ranch.
- 23. Consider a resolution authorizing the execution of a temporary water and sewer service agreement between the City of Midland and S&W Partnership, of Midland, Texas, for service to Lot 5, Block A, K&C Industrial Place, Section 1, Midland County, Texas, which is outside the city limits; and ordering recordation by the City Secretary.
- 24. Consider a resolution stating that the City of Midland shall extend water and sewer service to the proposed arts, convocation and classroom facility at the Center for Energy and Economic Diversification at the sole expense of the City.

SECOND READINGS

- 25. Consider an ordinance on second reading on a request by HEB Grocery, Inc. for a zone change from LR-2, Local Retail District, to PD, Planned District for a Shopping Center on a 2.659-acre portion of Block 8, Hyde Park Addition; on Lot 3, Block 15, Hyde Park Addition, Section Four; and on Lot 4, Block 15, Hyde Park

Addition, Section Five, City and County of Midland, Texas. (Generally located near the southwest corner of the intersection of W. Wadley Avenue and N. Midkiff Road.)

26. Consider an ordinance on second reading on a request by West Company of Midland, Inc. / Quail Ridge for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on of Lot 1, Block 1, Quail Ridge Addition; a 8,073-acre portion of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northeast corner of the intersection of Business 20 and Chukar Lane.)
27. Consider an ordinance on second reading vacating and abandoning a 0.27-acre tract of right-of-way adjoining Block H, Montgomery Addition, City and County of Midland, Texas; and ordering recordation by the City Secretary.
28. Consider an ordinance on second reading amending the Fire District so as to delete therefrom Lot 2, Block 3, Moody Addition, City and County of Midland, Texas; directing the Building Official to amend the Fire District Map; containing a cumulative clause; and containing a savings and severability clause.
- ❖29. Consider an ordinance on second reading of the City of Midland, Texas, adopting the Midland Smart Downtown Plan as authorized by Chapter 213 of the Texas Local Government Code.

PUBLIC HEARINGS

30. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by CEI Engineering for a zone change from PD, Planned District for a shopping center, to an Amended Planned District for a shopping center on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of N. Midland Drive, approximately 1,000 feet south of W. Loop 250 North.)

31. At 11:03 a.m. hold a public hearing and consider a resolution on a request by Our Lady of Guadalupe Catholic Church for a Temporary Land Use Permit for a Church Fair on Lots 8 and 13A, Block 7, Glendale, Section 2, City and County of Midland, Texas. (Generally located near the northeast corner of the intersection of Garden Lane and N. Tyler Street.)
- ❖32. At 11:10 a.m. hear a presentation from and discuss with Mark Henkhaus, P.E., District Director of the Railroad Commission of Texas regarding water contamination at the T-Bar Ranch Water Well Field located in Loving County and Winkler County, Texas and all related matters concerning complaint number 4994 filed by the City of Midland, with the Railroad Commission of Texas. Officials from Arcadis will also be available to answer questions from the Council.

DEVELOPMENT SERVICES

33. Discuss the preliminary distribution of 2007/2008 Community Development Block Grant Funds.
34. Consider an ordinance amending the Fire District so as to delete therefrom the east half of Block 162, east half of Block 141, and all of Blocks 139 and 140, Southern Addition, City and County of Midland, Texas; directing the building official to amend the Fire District Map; containing a cumulative clause; and containing a savings and severability clause.

MISCELLANEOUS

35. Consider a resolution authorizing the Law Firm of Cotton, Bledsoe, Tighe and Dawson to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland, Texas in litigation against Heritage Standard Corporation, and any appropriate subsidiary, affiliate or related company, regarding water contamination and all related matters at the City's T-Bar Ranch Water Well Field in Winkler County, Texas and Loving County, Texas.
36. Consider a motion making appointments to various Boards and Commissions.

37. Recess to the conference room for lunch.
38. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Consultation with the City Attorney, Section 551.071

Discuss potential litigation against Heritage Standard Corporation, involving water contamination and all related issues at the T-Bar Ranch Water Well Field consisting of approximately 20,000 acres in Loving County and Winkler County, Texas.

Personnel Matters, Section 551.074

To deliberate the employment, evaluation, reassignment, duties, discipline, and dismissal of the City Manager.

To deliberate the evaluation, duties, and compensation of the Interim City Manager.

To deliberate the appointment, employment, duties and compensation of a new City Manager.

To deliberate the appointment, employment, duties and compensation of a new Police Chief.

Deliberation Regarding Economic Development Negotiations, Section 551.087

Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

Respectfully submitted,

Tommy T. Hudson
Interim City Manager